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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,349	07/17/2001	Mark Bagley	36-1462	2632

7590 08/24/2004

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EXAMINER

NGUYEN, CAM LINH T

ART UNIT PAPER NUMBER

2171

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/889,349	<b>Applicant(s)</b> BAGLEY ET AL.	
	<b>Examiner</b> CamLinh Nguyen	<b>Art Unit</b> 2171	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09/06/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendments to the Specification are acknowledged. Consequently, objection to the disclosure is withdrawn.
2. Applicant's amendments to the abstract are acknowledged. Consequently, objection to the abstract is withdrawn.
3. Applicant's amendments to the drawings are acknowledged. Consequently, objection to the drawings is withdrawn.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 - 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue et al (U.S. 5,987,480) in view of Christensen et al (U.S. 6,055,543).

♦ As per claim 1, 5, 9 – 10, 13 – 16, the combination of Donohue and Christensen disclose:

Donohue et al (U.S. 5,987,480) discloses a method of managing information bearing content files stored in a computer file system, comprising:

- "The computer file system being divided into directories" col. 13 lines 22 – 26.
- "Locating one or more content files" corresponds to the command to locate documents (col. 7 lines 27 – 30).

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- The “content files” corresponds to the “documents” that stored in the data source 12 in Fig. 1 (col. 7 lines 35 – 44).
- “Associating one or more template files with each directory in which at least one content file is stored” See col. 5 lines 25 – 31. The documents stored in the web server contain different formats; therefore, when applying to the template, it will carry out a respective predetermined operation on the documents (col. 1 lines 57 – 65).
- “Applying the or each template file associated with a given directory to each content file stored in that directory” col. 7 lines 15 – 22.
- “Wherein the respective directory in which each content file is stored determines which of the or each template file is applied” col. 5, lines 63 – 67, col. 10, lines 43 – 48.

Donohue does not clearly teach that the directory stores the content file and the template.

However, Christensen discloses a search system that the content file and the metadata are stored together in a content wrapper that is organized in a directory (col. 4, lines 55 – 56, 64 – 67, col. 5, lines 26 – 28, col. 6, lines 35 – 36). Both inventions are in the same filed (search and delivery document to user using metadata). Donohue and Christensen suggest that the invention may be modified to archive the scope of the claims (col. 14, lines 28 – 36, Donohue; col. 4, lines 41 – 47, Christensen).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to substitute the name-value in Donohue invention by the content file of Christensen because the combination would reduce the network traffic in searching for data. Only the metadata is accessed to perform the search (col. 5 lines 63 – col. 6 lines 5, Christensen), rather than the entire of document.

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◆ As per claim 2, 6, the combination of Donohue and Christensen disclose:

- “The computer file system is divided into a hierarchical arrangement of directories” col. 5 lines 26 – 30, Donohue.

◆ As per claim 3, 7, the combination of Donohue and Christensen disclose:

Donohue teaches that the templates are stored in the directory. Each associate with a particular document or group of documents (col. 5 lines 26 – 30, Donohue.); therefore, the association of a template with a directory is made on the basis of the template file being stored in that directory.

◆ As per claim 4, 8, the combination of Donohue and Christensen disclose:

- “Associating metadata with each content file” See Fig. 3, col. 5 lines 8 – 10, Christensen.
- “Carrying out the respective pre-determined operation on each content file... metadata” col. 1 lines 57 – 65, Donohue.

◆ As per claim 11 – 12, the combination of Donohue and Christensen disclose:

- “The association of a template with a directory is made on the basis of the template file being stored in at least one of that directory and a parent directory of that directory” col. 10, lines 43 – 48, Donohue.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1 - 16 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

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5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is 305-1951. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703 - 872 - 9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

LN

  
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